



Senate

General Assembly

File No. 426

February Session, 2006

Substitute Senate Bill No. 653

Senate, April 6, 2006

The Committee on Labor and Public Employees reported through SEN. PRAGUE of the 19th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT EXPANDING STATE EMPLOYMENT OPPORTUNITIES FOR PERSONS WITH DISABILITIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) As used in this section:

2 (1) "Supported employment" means state employment for persons
3 with disabilities who require on-the-job training and support to
4 complete job requirements;

5 (2) "Competitive employment" means state employment of persons
6 with disabilities in integrated settings in full-time or part-time
7 positions for which such persons are compensated at the wages and
8 levels of benefits paid by the employer for the same or similar work
9 being performed by individuals who are not persons with disabilities;
10 and

11 (3) "Training and support" includes, but is not limited to,
12 comprehensive and specialized assessments of individual job skill

13 levels and service needs, development of individual employment
14 plans, ongoing job coaching and other customized training.

15 (b) (1) On or before January 1, 2007, each state agency shall create
16 supported employment positions that shall lead to competitive
17 employment, on or before January 1, 2009, within such agency. Each
18 state agency shall designate not less than one-half of one per cent of
19 such agency's full-time positions as supportive employment positions.
20 Such supportive employment positions shall be in addition to the full-
21 time position allotment for each state agency.

22 (2) Employees who are in supportive employment positions or who
23 move from supportive employment to competitive employment
24 positions shall not displace any other state employee or impinge upon
25 the collective bargaining rights of any other state employee, including
26 any employee with layoff or reemployment rights.

27 (3) Each employee in a supportive employment position shall be
28 covered under the terms and conditions of the collective bargaining
29 agreement, if any, for the position intended as the employee's
30 competitive employment position.

31 (4) The wages for each supportive employment position shall be
32 established initially by the Commissioner of Administrative Services
33 and shall be subject to collective bargaining through the appropriate
34 collective bargaining agent, if any, for such position.

35 (c) The Commissioner of Administrative Services shall adopt
36 regulations, in accordance with the provisions of chapter 54 of the
37 general statutes, to carry out the purpose of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

LAB *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 07 \$	FY 08 \$
All; Department of Administrative Services	All Funds - Cost	\$2.4 million - \$3.7 million	\$4.8 million - \$7.3 million
Comptroller Misc. Accounts (Fringe Benefits)	GF - Cost	\$570,000 - \$864,000	\$2.8 million - \$4.3 million

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill requires that on or before January 1, 2007 each state agency must create supported employment positions that will lead to competitive employment positions by January 1, 2009. Each state agency must designate not less than 0.5% of each agency's full-time positions as supportive employment positions. These supported employment positions must be in addition to the full-time position allotment for each state agency. The employees in supported employment positions cannot displace any other state employee from their job.

This bill will result in significant costs to the state. There are 45,402 authorized full-time state employee positions.¹ Under the bill, the state must establish 227 supported employment positions (0.5% x 45,402 full-time employees) by January 1, 2007.

If the supported employment positions are full-time positions, the estimated annual cost of hiring 227 employees would be \$5 million,

¹ 2005 - 2007 OFA Budget Book.

plus fringe benefits² (based on an annual salary of \$22,132).

If the supported employment positions are part-time positions, the estimated annual cost of hiring 227 employees would be \$2.5 million, plus fringe benefits (based on an annual salary of \$11,066).

In addition, the state will need to hire job coaches for these supported employment positions. It is estimated that there will be 1 job coach per 5 supported employee positions. Therefore, the state will need to hire 45 full-time job coaches. The estimated annual cost for these 45 positions is \$1.8 million, plus fringe benefits (based on an annual salary of \$41,337).

It is assumed that the Department of Administrative Services (DAS) will administer this supported employment program. DAS will need to hire supervisors to manage the 227 supported employees and 45 job coaches. It is estimated that DAS will require 7 supervisors at an annual cost of \$365,000, plus fringe benefits (based on an annual salary of \$52,163). Further, DAS will require an administrator to oversee the program. It is estimated that the program administrator will cost \$69,232 annually, plus fringe benefits. This new program would also require office space and office equipment that would result in additional costs.

Creating a supported and competitive employment program may reduce the state's need to contract out for certain existing services, which may reduce state contracting costs.

² The fringe benefit costs for state employees are budgeted centrally in the Miscellaneous Accounts administered by the Comptroller. The estimated first year fringe benefit rate as a percentage of payroll is 23.6%, effective July 1, 2005. The first year fringe benefit costs for new positions do not include pension costs. The state's pension contribution is based upon the prior year's certification by the actuary for the State Employees Retirement System (SERS). The SERS 2005-06 fringe benefit rate is 34.7%, which when combined with the non pension fringe benefit rate would total 58.3%.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation and collective bargaining provisions.

OLR Bill Analysis**sSB 653*****AN ACT EXPANDING STATE EMPLOYMENT OPPORTUNITIES FOR PERSONS WITH DISABILITIES.*****SUMMARY:**

This bill requires (1) each state agency to create supported employment positions equal to 0.5% of its full-time positions by January 1, 2007 and (2) the positions to lead to competitive employment with the agency by January 1, 2009. The positions must be in addition to each agency's current full-time allotment.

Under the bill, "supported employment" means state employment for people with disabilities who require on-the-job training and support to complete job requirements. "Competitive employment" is defined as state employment of people with disabilities in integrated settings in full- or part-time positions at the same wage and benefit level paid to those without disabilities doing the same or similar work. Presumably, a person in supported employment in one agency could be placed in competitive employment with another.

The new positions must not displace any other state employee or impinge on another employee's collective bargaining rights. It is unclear how the creation of these new job types will fit into the current state employee civil service system.

The bill includes contradictory provisions regarding the wages for each supportive employment position (See COMMENT).

EFFECTIVE DATE: Upon passage

SUPPORTED EMPLOYMENT

Under the bill, the training and support provided to those in

“supported employment” individual comprehensive and specialized job skill and service need assessments, individual employment plan development, ongoing job coaching, and other customized training.

The bill requires that employees who are in or move from supported employment to competitive employment not displace any other state employee or impinge upon the collective bargaining rights of any other employee, including any employee with layoff or reemployment rights. Laid off employees have reemployment rights under state union contracts. To avoid conflict with this, the state presumably would have to offer a job opening under the bill to any appropriate person on the layoff reemployment list before it could be offered to a person in supported employment.

The bill requires those in supported employment positions to be covered under the terms and conditions of any collective bargaining agreement for the position intended as the employee’s competitive employment position.

REGULATIONS

The administrative services commissioner must adopt regulations to carry out the bill’s provisions.

BACKGROUND

Related Bill

sSB 623 requires the administrative services commissioner to establish a pilot program to create and expand janitorial work opportunities for people with disabilities.

COMMENT

Contradictory Wage Provisions

The bill includes contradictory provisions regarding the wages for supported employment positions. One provision says supported employment workers will be given the same terms and conditions as the applicable union contract for the individual’s intended competitive position. In labor contracts “terms and conditions” include wages. The

other provision requires the administrative services commissioner to establish the initial supportive employment wages.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 9 Nay 4 (03/21/2006)